

**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION**

Dated: Nainital: the 2nd day of March, 2005

Bail application No. 126 of 2005

Order on Bail Application of accused

CRIMINAL SIDE

Kapil @ Popy
S/o Sri Chandrapal
R/o Khera Jutt
Police Station – Manglor
District - Haridwar

... Applicant

Versus

State of Uttaranchal

... Opposite Party

Arising out of case crime No. 221 of 2004
U/S 364 I.P.C.
Police Station - Manglor
District – Haridwar

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime no. 221 of 2004, U/S 364 I.P.C., Police Station - Manglor, District – Haridwar.

Heard Sri H.C. Pathak, learned counsel for the applicant, learned A.G.A. and perused the record.

The record shows that the F.I.R. has been lodged after a period of about 2-1/2 years.

Learned A.G.A. has submitted the evidence of last seen is available as yet.

As per the record, the accused was lastly seen in the company of the deceased in the bus stand.

The evidence of this nature does not appear to be convincing at this stage.

Without commenting on the merit of the case, I am of the view that the applicant is entitled to be released on bail at this stage.

Let the applicant Kapil @ Popy be released on bail on executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of A.C.J.M., Roorkee.

March 02, 2005
Shiv

(B.C. Kandpal, J.)